

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:09CV278-MU-02

ROGER YOUNG, a.k.a.)
"Roger D. Young" and)
"Roger Dean Young,")
Plaintiff,)
)
v.)
)
ROBERT C. LOUIS, Director)
Of Prisons;)
DAVID MITCHELL, Superin-)
tendent of Mountain)
View Correctional In-)
stitution¹;)
KEVIN BENFIELD, Unit)
Manager at MSCI;)
MARY COLVIN, Case Mana-)
ger at MSCI; and)
VICKY SELLERS, Sergeant)
at MSCI,)
Defendants.)
_____)

O R D E R

THIS MATTER comes before the Court on Plaintiff's Motion for Reconsideration pursuant to Federal Rule of Civil Procedure 59 (Doc. No. 3), filed August 4, 2009.

The record of this matter reflects that on July 22, 2009, Plaintiff filed a Complaint against the above-listed Defendants pursuant to 42 U.S.C. §§ 1983 and 1985. (Doc. No. 1).

¹Mountain View Correctional Institution hereafter will be referred to as "MSCI."

Plaintiff also sought permission to proceed in forma pauperis with that action. (Id.). However, the Court's initial review revealed that Plaintiff was not entitled to proceed in forma pauperis as he previously had sustained six dismissals for frivolity and/or failure to prosecute. Therefore, the Court dismissed Plaintiff's Complaint without prejudice to his right to pay the filing fee and re-file that matter. (Doc. No. 2).

Plaintiff seeks reconsideration of that dismissal. Although Plaintiff points to two additional cases by which he reportedly secured some measure of relief, he essentially concedes that he did sustain the aforementioned dismissals in the six other cases due to his inability to represent himself. Suffice it to say, however, these representations do not raise any matter which requires the Court to disturb its earlier ruling. Consequently, Plaintiff's Motion for Reconsideration (Doc. No. 3) is **DENIED**.

SO ORDERED.

Signed: April 8, 2010



Graham C. Mullen
United States District Judge

